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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/766,335	01/19/2001	Mark A. Stevens	40101/07301	7723
30636 7590 11/28/2008 FAY KAPLUN & MARCIN, LLP 150 BROADWAY, SUITE 702 NEW YORK, NY 10038				
EXAMINER				
HUYNH, CONG LAC T				
ART UNIT		PAPER NUMBER		
2178				
MAIL DATE		DELIVERY MODE		
11/28/2008		PAPER		

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**BEFORE THE BOARD OF PATENT APPEALS
AND INTERFERENCES**

Application Number: 09/766,335
Filing Date: January 19, 2001
Appellant(s): STEVENS, MARK A.

Dervis Magistre
For Appellant

EXAMINER'S ANSWER

This is in response to the appeal brief filed 10/20/08 appealing from the Office action mailed 5/22/08.

(1) Real Party in Interest

A statement identifying by name the real party in interest is contained in the brief.

(2) Related Appeals and Interferences

The examiner is not aware of any related appeals, interferences, or judicial proceedings which will directly affect or be directly affected by or have a bearing on the Board's decision in the pending appeal.

(3) Status of Claims

The statement of the status of claims contained in the brief is correct.

(4) Status of Amendments After Final

The appellant's statement of the status of amendments after final rejection contained in the brief is correct.

(5) Summary of Claimed Subject Matter

The summary of claimed subject matter contained in the brief is correct.

(6) Grounds of Rejection to be Reviewed on Appeal

The appellant's statement of the grounds of rejection to be reviewed on appeal is correct.

(7) Claims Appendix

The copy of the appealed claims contained in the Appendix to the brief is correct.

(8) Evidence Relied Upon

(9) Grounds of Rejection

The following ground(s) of rejection are applicable to the appealed claims:

Claims 1, 4-20, 22-38 remain rejected under 35 U.S.C. 102(e) as being anticipated by Grobler et al. (US 2002/0052893, 5/2/02, filed 12/13/00).

Regarding independent claim 20, Grobber discloses:

- identifying a feature set of a source file ([0062]-[0067], [0018]-[0021]: identify the tags of a table in the source file where said tags, which is a set of tags, represent the table feature set)
- storing and analyzing the feature set in a buffer (figures 8-9, #820-855: the fact that the source data is temporarily stored and analyzed and a target table is created for filling the target format implies that there is a buffer for performing storing and analyzing)
- assembling the feature set in a buffer ([0063]-[0064], [0067]-[0069], [0071]: analyzing the tags in the source table data stored in a temporary storage and selecting only tags suitable for creating a target table to import to the target file show assembling the feature set in a buffer where data is temporarily stored)
- writing the feature set into a target file in the target format (figure 7, [0068]-[0073], [0021]: writing the source table into the target table in the target file by converting the source table tags into the target table tags)

Regarding claim 22, which is dependent on claim 20, Grobber discloses that features of the feature set are selected from the group consisting of paragraph style, straddled cells

in a table, cross-referencing, pen styles in a drawing, other document formatting, document header specification, document footer specifications, discontinuity indicator, order indicators, location indicators, beginning indicators, ending indicators, data types, data translation pairs, document macros, implied features, implied feature endings, and combination thereof ([0061]: the beginning indicators and the ending indicators of the table tags are selected).

Regarding claim 23, which is dependent on claim 20, Grobber discloses mapping code fragments of the source file to a feature list ([0045], [0048]).

Regarding claim 24, which is dependent on claim 23, Grobber discloses looking up the code fragments in a front-end lookup table ([0048]-[0052]).

Regarding claim 25, which is dependent on claim 24, Grobber discloses permitting the front-end lookup table to be user modifiable ([0053], [0069]).

Regarding claim 26, which is dependent on claim 20, Grobber discloses mapping the feature set to code fragments of the target file ([0049]-[0050], [0057]-[0058]).

Regarding claim 27, which is dependent on claim 26, Grobber discloses looking up the feature set in a back-end lookup table (figures 4-5, [0050]-[0051]: making selections

regarding the format of the individual columns selected for the target table implies a provided list or table for looking up the table tags before selecting).

Regarding claims 28 and 29, which are dependent on claim 20, Grobber discloses identifying a feature set of a plurality of source files having a plurality of source formats writing the feature set into a plurality of target files having a plurality of target formats ([0023]: the fact that the data transformation from a source file to a target file can applied to a *plurality of documents at the same time* implies that said data can be identified in a plurality of source files having different formats and written to a plurality of target files having of course a plurality of target formats).

Regarding claim 30, which is dependent on claim 20, Grobber discloses identifying tokens disposed within the source file, and associating the tokens with the feature list ([0065]: the token "Boston" disposed in the source file is identified and associated with the tags <TH> and </TH> among the other table tags).

Regarding claim 31, which is dependent on claim 20, Grobber discloses using a source file generator to initiate translation by the translator ([0080])

Regarding claim 32, which is dependent on claim 20, Grobber discloses using a target file adapter module to perform secondary translation ([0080],[0085]).

Regarding claim 33, which is dependent on claim 32, Grobber discloses the target file adapter module translates the target file into another target format ([0080]-[0086]).

Regarding independent claim 34, Grobber discloses:

- providing a feature identifier to determine a feature set of the source file ([0062]-[0067], [0018]-[0021]: determine the tags of a table in the source file where said tags, which is a set of tags, represent the table feature)
- providing a buffer to store and analyze the feature set (figures 8-9, #820-855: the fact that the source data is temporarily stored and analyzed and a target table is created for filling the target format implies that there is a buffer for performing storing and creating)
- providing a buffer to assemble the feature set ([0067]-[0069], [0071]: analyzing the tags in the source table data which is temporarily stored and selecting only tags suitable for creating a target table to import to the target file imply that there is a buffer where the source table data temporarily stored is provided for assembling the tags, which are the feature set, for creating the target table)
- providing a feature writer to write the feature set into the target file in the target format (figure 7, [0068]-[0073], [0021]: writing the source table into the target table in the target file by converting the source table tags into the target table tags)

Independent claim 35 is a system for method claim 34, and is rejected under the same rationale.

Independent claims 36 and 37 are an article of manufacture and a computer readable program code for method claim 34, and are rejected under the same rationale.

Claims 1-12, 15-18 are for a translator of method claims 20-33, and are rejected under the same rationale.

Regarding claims 13-14, Grobber discloses the translator comprises a user interface where the user interface comprises a GUI (figures 4-5).

Regarding claim 19, which is dependent on claim 1, Grobber discloses that the source and the target formats are selected from the group consisting of MIF, RTF, WordPerfect, VENTURA, Microsoft Word, Interleaf, HTML, SGML, XML, C, C++, Visual Basic, Pascal, Java, MFC, PowerPlant, Swing, SVG, HPJ, Flash, WMF, VRML, RenderMan, 3DMF, and combination thereof ([0080]).

Regarding independent claim 38, Grobber discloses a translator comprising:

- a feature identifier having a front-end lookup table to map code fragments of the source file to a list of features to determine a feature set of the source file ([0048]-[0052], [0062]-[0067], [0018]-[0021])

- a buffer to store and analyze the feature set (figures 8-9, #820-855: the fact that the source data is temporarily stored and analyzed and a target table is created for filling the target format implies that there is a buffer for performing storing and creating)
- a buffer to assemble the feature set ([0067]-[0069], [0071]: analyzing the tags in the source table data which is temporarily stored and selecting only tags suitable for creating a target table to import to the target file imply that there is a buffer where the source table data temporarily stored for assembling the tags, which are the feature set, for creating the target table)
- a feature writer having a back-end lookup table to map the feature set to HTML code fragments, to write the feature set into the target file in the HTML format (figure 7, [0068]-[0073], [0021], figures 4-5, [0050]-[0051])

Grobber does not disclose:

- the code fragments of the source file is the MIF code

It would have been obvious to one of ordinary skill in the art at the time of the invention was made to have modified Grobber to include MIF into Grobber since Grobber discloses the format of the source file can be *any format* used by a database application, and the format of the target file can be in any tag language such as HTML or XML [0080]. This motivates to use MIF code as a format of the source file in exchanging the formats between the source documents and the target documents.

(10) Response to Argument

Appellant states that the Examiner equates the “assembling the feature set in a buffer” to the temporary storage of the source data in Grobler and this is incorrect (Brief, p. 4). The Examiner respectfully disagrees.

The Examiner does not address such equating. See claim 20 rejection regarding that limitation copied as follows:

- *“assembling the feature set in a buffer ([0063]-[0064], [0067]-[0069], [0071]: analyzing the tags in the source table data stored in a temporary storage and selecting only tags suitable for creating a target table to import to the target file show assembling the feature set in a buffer where data is temporarily stored)”*

Here, a buffer equates to a temporary storage where the tags for a table structure are analyzed. The “assembling a feature set in a buffer” equates to selecting only tags suitable for creating a target table to import to a target file where all tags suitable for a target table is considered a feature set and where said selecting means gathering these tags together.

Appellant also argues that in the invention, the identifying of the feature set in the source file is done prior to being stored in a buffer. Once the feature set has been identified, the feature set is then moved into a buffer whereas in Grobler, the source data is moved into temporary storage and then analyzed for tags (Brief, page 5). The examiner agrees about this disclosure of the invention. However, the claim does not require where to perform the identifying step and moving the feature set into a buffer

after being identified. The identifying step can be performed anywhere and only the assembling of the feature set is required to be performed in the buffer.

Gobler discloses identifying a feature set of a source file ([0062]-[0067], [0018]-[0021]: identify the tags of a table in the source file where said tags, which is a set of tags, represent the table feature set).

Gobler further discloses gathering only tags suitable for a table structure, which constitute the identified feature set of a table, to create a target table in a temporary memory, which is a buffer, prior to being imported to a target document ([0063]-[0064], [0067]-[0069], [0071]). Therefore, Gobler discloses assembling the feature set in a buffer.

(11) Related Proceeding(s) Appendix

No decision rendered by a court or the Board is identified by the examiner in the Related Appeals and Interferences section of this examiner's answer.

For the above reasons, it is believed that the rejections should be sustained.

Respectfully submitted,

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11/19/08

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